

### **REMARKS**

Claims 7, 10, 11, and 37-44 are pending. Applicants have amended claim 7 to quantitate the percentage of internal fibers that are exposed (i.e., at least 5%) in the claimed material. Support for this amendment, as well as for the addition of claims 37-44, can be found, for example, at page 3, lines 8-10, of the Specification. Applicants also have amended claim 7 to recite that the poly-coated paper comprises cellulosic fiber. "Poly-coated paper" is a well-known term of art that would have been understood at the time that the application was filed by an artisan of ordinary skill as referring to a cellulose-based paper that has been coated or impregnated with a polymer. Accordingly, the amendment would not add any new matter.

#### **Rejection under 35 U.S.C. § 112**

Claims 7, 10, and 11 were rejected under 35 U.S.C. § 112, second paragraph as being allegedly indefinite. Although Applicants disagree with the grounds of rejection, they have amended claim 7 in the interest of advancing this case towards allowance more quickly. The amendment is believed to render the rejection under 35 U.S.C. § 112 moot.

#### **Rejection under 35 U.S.C. § 102**

Claim 7 was rejected as allegedly anticipated by either of Erickson and Lamb Sr. Applicants respectfully traverse this rejection in view of the above amendments.

As amended, claim 7 is directed to a material that includes sheared poly-coated paper, where the poly-coated paper comprises cellulosic fiber. Erickson does not disclose any cellulosic materials, and, therefore, does not anticipate claim 7.

As amended, claim 7 requires that at least 5% of the internal fibers of the poly-coated paper be exposed. Far less than 5% of the internal fibers would be exposed in the confetti-like material disclosed by Lamb Sr. Therefore, Lamb Sr. does not anticipate claim 7.

#### **Rejection under 35 U.S.C. § 103**

Claims 10 and 11 were rejected as allegedly unpatentable over either of Erickson and Lamb Sr. For the reasons discussed above with respect to the rejection of claim 7 under 35 U.S.C. § 102, the rejection is moot in view of the above amendment of claim 7.

Attached is a marked-up version of the changes being made by the current amendment.

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**Version with markings to show changes made**

**In the claims:**

Claim 7 has been amended as follows:

--7. (Amended) A texturized fibrous material comprising poly-coated paper having internal fibers, wherein said poly-coated paper comprises cellulosic fiber and wherein said poly-coated paper is sheared to the extent that at least about 5% of the internal fibers are [substantially] exposed.--

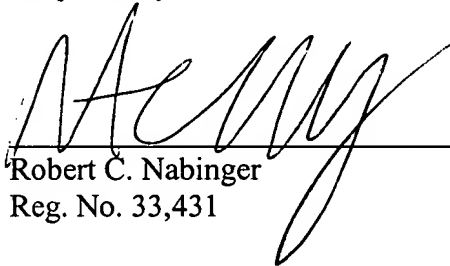
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Applicant asks that all claims be allowed. No fees are believed to be due at this time.  
However, please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



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Date: October 22, 2002

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